

WITNESSES FOR PROPONENTS

Executors and Others Testify in
Contest of the Will of Claiborne
Lisle.

The proponents of the will of Claiborne Lisle had their innings Wednesday. The Circuit Court room was comfortably full of interested parties and those curious to hear the testimony.

Mr. Clay Hodgkin was called and said:

"I am one of the executors under the will of Claiborne Lisle. I don't remember when we employed my lawyers. I think I employed them. Both Mr. Stevenson and Mr. Winn were present when the will was probated. My grandfather said Mr. Winn had been his lawyer during life and if any notes were to be collected he preferred him or Mr. J. M. Stevenson. He never said anything about attending to his business after death, but I had looked after some of his business while he lived. Had access to the papers in his box in the bank. All of his notes and live papers were in this box. With reference to the note of Mr. Gay, I think Mr. Gay spoke to me about his loan of \$2,500 and then told grandfather. I don't remember whether or not I filled up this note. The note, I think was delivered to grandfather by myself.

"The next loan I made for him was to J. A. Stevens. This was in December, 1909. This was for \$2,000. That note was placed in the box in the bank. He knew about this loan as I spoke to him about it and he said that if his father, H. L. Stevens, signed it for me, to fix it. This was after the will was made.

"I never borrowed any money in this year. I had borrowed some money. I don't remember how much money I had borrowed from him from time to time. On the loans he made me and my brother, he charged no interest.

"I made other loans for him. I think one to J. A. Stevens and father also to Mr. H. G. Garrett. He had a thousand and borrowed \$2,000 from Master Commissioner which he loaned to Mr. Garrett. I collected some money for him. He told me to collect money when he was not in. The bank books will show how much was collected. I don't recall making collections without his telling me. He was in town October court day for the last in his life. He had not been in town before this for three months."

Mr. Thomas Lisle was called:

"My name is Thomas Lisle, one of the sons and executors of Claiborne Lisle. I lived within a mile or two of my father. I think he moved the place he was living on when he died in 1875. After he moved there, I got possession of the old place, where I now live. My father and I were partners for a long time. My father got half of the income from the time I took this place until 1907. I never got any of the rent for the tobacco land on the place. I never saw my father often until after he was taken ill and then I saw him almost every day. Mr. Hodgkin and I were not on good terms because the reason I did not go to see him before he was taken ill.

"I never had a talk with my father about making a will. I was at his home Sunday, December 19th. I always went early and remained about two hours. I did not see Mr. Jas. Winn there that day or the following day. I did not see anything wrong with him and believe he had a sound mind and that he knew about his belongings and how to dispose of them.

"After that Sunday I saw him most every day but two. He died the 18th day of January. He never told me about making a will disposing of his property. He never showed any weakness of mind until his death. I saw him the morning before his death. He knew me and spoke to me. Mrs. Couchman lived at our house for awhile. I never said to her, 'if you don't mind me you will regret it.' I asked her why she did not stay at home, she was always running around. I was her guardian. She never had any other guardian but myself.

"I never took Mrs. Couchman out of school before it was out. I put her in the Eubank school and furnished her books. I talked to Walter Quisenberry about the Chas. Swift note but never told him anything about my father's mind failing. He was always able to attend to his business. I never told him he was failing mentally as well as physically.

I never told him about his purchasing the corn from Charles Swift.

"I always thought my father was a strong-minded man. He was a reading man, and read a great deal during the last days of his life. I saw him after he was taken ill reading without glasses. He rode horseback during the last year of his life.

Cross examination: "My father and I were partners from the time I was 20 years old until the deed to the land was made. He made our settlements by me, paying him what was due him. The first part of our partnership I would give him checks to his accounts. The property was deeded to me in 1907.

"I knew from him that he was going to deed Mrs. Oliver, Mrs. Hodgkin and myself the land but never heard him say anything about the Eubank and Duckworth children. He had in his possession \$1,233.00 I was entitled to as guardian. I have made my final settlement as guardian of the children. The books that I furnished Mrs. Couchman came out of her money. I never gave her anything but my feelings for them were good. I drove Ernest off of my place once, but he came back.

"Mr. Waller Quisenberry when we were talking said that Swift had caught D. B. Hampton and it was about the first man he had caught and that he owed my father. I never employed any lawyers until the will was probated. I never knew my father had made a will up to the time the will was probated. I never heard the Hodgkin boys talk about the will.

Redirect: "My father was surety on the bond of Marcus Lisle as administrator of Nancy Duckworth. I was guardian of all four Duckworth children.

Mrs. Minerva Hodgkin was called and questioned by Mr. J. F. Winn:

"I live seven miles south of Winchester. I am a daughter of Claiborne Lisle, and 52 years old. I moved to where I live in '75. At that time my father lived at the old home place where Tom Lisle now lives. My mother came to our house a short while after we moved to where I live. She remained there until she died. I have five children. Clay, Sam, Jessie, Sallie and Marcus.

"I remember when my sister married Jeff Eubank. My father was opposed to the marriage. My father and Mr. Eubank never spoke. My father objected to the marriage of my sister to Mr. James Duckworth. My father did not know when they were going to marry. They either married in Louisville or Cincinnati. After Mrs. Duckworth married she came to our house for a day. My father did not see her. He was on the place all day, but did not come to dinner. She made other visits, usually on county court days.

"Before my mother died she went to Missouri. Mrs. Eubank came to the house after she was married. My father would not have anything to say about her. She left Kentucky and went to Missouri. I was not married then. (She made one visit to Kentucky and during that visit neither she nor my father ever spoke.

"My brother, Jas. Lisle, was an invalid. I visited him while he was sick. My father did also, but very few times. Jas. Lisle was at our house. I think Clay brought him there. He was first at Mrs. Oliver's. She was delicate and could not care for him and then he was brought to our house. He behaved very nicely at our house and we had very little trouble. He treated my father very nicely. Sometimes he would swear and use ugly words that we did not like. His family never came to see him. It was at my father's suggestion that he was taken home. I think Jesse Lisle took him. My father said that James had several daughters and they could take care of him better than I could. I was doing my own work then.

"Two of the Eubank children stayed with me. Mrs. Kate lived with me several years. After she left she went to the home of her uncle, Ben Eubank. She only stayed there a few days, going to Mr. Tom Lisle's. She then went to live with her father. None of his other children lived with him. Jeff Eubank has been dead about 5 years.

"Connie Lisle and his wife were at home the day you did the writing for my father. Mr. Thomas Lisle was at the house for awhile. Connie and his wife came there on a train. The first time I knew you were there was when some one was talking about a conveyance to bring you over. You all were in my father's room. I was not in the room when my father asked you to do some writing for him. My father never told me about making a will. I never requested him to make a will. After the writing was done I returned to the room, but I never heard anything about the will. On December, 1909, my father's mind

was as clear as it ever was. He was physically weaker. My father had mind to know his estate and dispose of it as he wished.

"The following night after you was there Mr. Eubank and Prof. D. A. Thompson were at our home but I was not in the room with my father while they were there.

"My father's mind was as good as any one's. He always had his way at our house. None of his children tried to influence him. I never told my father to shut his mouth when Mrs. Tracy was speaking to him about a farm. What I said was when he told her the land was no good and she had better look for another one and I said that Tom Lisle would look after that matter for her. Speaking of Mrs. Eades I never had her to do more work than I. My daughter was small. Dr. Frank Johnson was my father's doctor. I always felt kindly towards the Eubank and Duckworth children and never tried to persuade my father not to give them any property.

Cross examination:

"I sent Minerva Eubank to Mrs. Oliver's to wait on Jim Lisle and after he came to the house she came back to our house. My father was childish like old people are. I say this because he appreciated being waited on. I waited on him mostly. I never made any complaint when my father deeded Connie Lisle land nor heard any one else. My husband and father had very little to say to each other for a year or more before he died. My husband was a drinking man and he did not like that. Tom asked me once what Connie was coming there for so much. This was about the time the deed to Connie's land was made. I told him I did not know. Tom was not so well pleased about Connie coming there. I knew that my father was preparing Connie's wife and children a home.

Cross examination:

Connie Lisle: "Mrs. Hodgkin never told me about what Mr. Tom Lisle said about my being about his home. I know my father advanced Tom Lisle some money, but I never heard from any of the family. I knew brother Tom and my father were partners for some years, but I did not know about him signing my father's checks. I know very little about the giving of land to other children. I know there was some dissatisfaction among my brothers and sisters about me getting my land, but they never told me themselves.

"I did not telephone Mr. Winn to go with me to Mr. Hodgkin's on the Sunday we were there. He was at the depot when we passed through here. He volunteered to go. There was a buggy at the station when we got there. There was not enough room for us all and Mr. Winn and I walked over. I might have said something about him being ill and also about a will, but I don't remember.

"After my father asked Mr. Winn to stay and do some writing it occurred to me that he was preparing to make a will. I never knew anything about it. Once at my home in Bourbon county, I told him if he left anything in my name I would give it to the Duckworth children. I told this to Mrs. Couchman on the day the will was probated. On this occasion he and I were talking about his financial condition and the distribution of it at his death. My father got offended when I told him I would give the Duckworth children my part of the division and said he would fix it so I couldn't do it. From what I know I don't believe Tom Lisle did not like the Duckworth children.

J. C. M. Day sworn, said:

"I have lived in Winchester 12 years, have been engaged in business here. I knew Mr. Claiborne Lisle intimately. I believe he was a man of strong mind and a man capable of disposing of his estate. I regarded him one of the most determined men I ever saw and highly prejudiced."

H. G. Garrett sworn: "I have lived in Winchester 12 years. Lived in Powell county before coming here. Am a director in the Winchester Bank. Have known him for ten or twelve years. He was a director and vice president of the Winchester Bank. He kept well posted on all the business of the bank."

"I think he was a man of a sound mind and was able to dispose of his estate according to a fixed purpose of his own.

Cross examination: "I have not said the note of \$3,000. Clay Hodgkin closed up the making of the loan and all other matters were transacted by Clay Hodgkin and myself. I never talked to him about his children."

Mrs. Henry Phillips sworn:

"My name is Mrs. H. H. Phillips. I was a Miss Milam. I knew Mr. Claiborne Lisle ever since I was a child. I have been at his home three or four

INDEPENDENT VOTERS CLUB

Organization Composed of Colored
Citizens Who Favor Mr. Byrd For
Congress Holds Meeting.

We are informed that there was a meeting of the Independent Colored Voters' Club at O. W. Bates' store Wednesday night. Dennis Daniel presided and James Nickols acted as secretary. A number of speeches were made, all favoring Mr. Byrd for Congress.

Two more meetings will be held before the election, on Friday night, and on Monday night.

IMPERSONATION OF UNIQUE CHARACTER

Of His Own Creation Will Be Given
at K. W. C. College on November 4
By Opie Read.

Old Lim Jacklin, in Opie Read's book, "The Jacklins," is one of the best known characters in American fiction. The London Times declared that "The Jacklins" was the brightest book that has ever come Eastward, and that "Old Lim" was without question, one of the most unique characters known to any language. James Payne, the English novelist, not long before he died, said that "Limdel Jacklin, Philosopher and Humorist," was a credit to any literature and to any age. In Mr. Read's new lecture, entitled "Old Lim Jacklin," he invites the charming old man to step forth from the pages of the book and to deliver a lecture, telling of his visit to the city, giving his reflections and philosophical observations that grew out of it. It is not only one of the most original lectures ever delivered but will live as a piece of humorous and philosophical literature. From beginning to end it is replete with the strongest common sense, touching upon nearly every phase of life and human nature. The audience can easily—indeed is forced—to imagine that Old Lim Jacklin himself is on the platform. Without question it is a work of art. Numerous magazines have requested it for publication, but it will not be printed during the life of the author.

This famous lecture will be delivered by Opie Read at the chapel of Kentucky Wesleyan College on the evening of November 4.

COLLECTION FOR ORPHANS

At the School at Louisville Will Be
Taken in Clark Schools Friday
November 4th.

A collection will be taken in each of the county schools Friday, November 4th to be sent to the Louisville Orphan school. Clark county has 14 children in the school and Mr. Lanter is very anxious that the subscription taken will be a nice one and has sent out the following letter:

A Worthy Cause.

To the Teachers of Clark County. During our recent Institute, Friday, November 4, was set apart as "Children's Day" in our public schools. The object of this, is to secure money to help the dependent children. Clark county has fourteen inmates in the Kentucky Children's Home at Louisville, and they are in need of help. We believe in this day of such wonderful progress they should be remembered by the school children of the county. This institution is doing great good for humanity in caring for poor children that are left in the world without any means of support. Many of the former inmates of that home are now holding

times. I was at his home during his last sickness. I talked with him when I was there. He advised me not to attend so many social functions. I think from what I know about him that he had a strong mind. Able to dispose of his estate.

Cross examination: "When I talked to him about Jack Lisle he always spoke tenderly of him. I did not know that the Duckworths were relatives of his and never heard him speak of them.

honorably positions. The way in which this is to be done is left to the judgment of the teachers. Some favor entertainments, charging a small admission fee, others are to have suppers, some are to take up a public collection on that day among the pupils of the school. Others are having their pupils to canvass the district and solicit subscriptions from the citizens of the district. I would also suggest you make suggestions to some philanthropic citizen to give as much as the schools will raise, but I leave these matters in hand of the teacher. Remember all you do for these little ones will be amply rewarded.

Yours respectfully,
J. E. LANTER, Supt.

BIG FIRE RAGES IN LONDON

Damage Estimated at Near Two Hundred Thousand Dollars in Blaze
Which Destroys Business Portion.

LONDON, Ky., Nov. 3.—Fire damage to the extent of nearly \$200,000 was sustained in this city from 12 o'clock midnight to 3 o'clock Wednesday morning and the entire main business block was completely destroyed.

The fire started in a small outbuilding in the rear of the dry goods store of Mrs. Sallie Salwansky, in the main block, and quickly spread to the other business houses and also the Catchings Hotel, the principal hotel of this part of the State.

The origin of the fire is believed to be incendiary, as there had been no fire of any sort in the outhouse in which the blaze started. The officers have a few and expect to make an arrest soon.

Eleven houses, including the hotel, were burned and the damage is variously estimated from \$150,000 to \$200,000.

The efforts of the bucket brigade that is the town's protection against fire probably prevented further loss.

BEATTVILLE BANK

Depositors Entertain Proposition to
Organize State Institution Out of
Wreck of Old Concern.

BEATTVILLE, KY., Nov. 3.—A meeting of the depositors of the National Bank of Beattyville, which is now in the hands of Receiver R. D. Garrett, was held here Tuesday there being about 200 present Judge G. W. Gourley, of Lexington and Beattyville, was elected as chairman, and Logan Thomas, secretary.

A proposition was made to reorganize the institution into a State Bank with a capital stock of \$45,000. The deposits in the old bank amount to \$60,000, and the depositors would receive 25 per cent cash and 50 per cent in stock of the new institution. The assets of the old bank, which are to be taken over, amount to approximately \$75,000. The depositors of the old institution are to share in any amount realized above the \$45,000 in addition to what they receive now.

A committee was appointed to report definite plans of the organization which would be binding on depositors but asked for further time, after which the meeting adjourned at pleasure of committee.

Several prominent men not connected with the old bank are interested in the movement to start the State bank, and it is thought an agreement can be reached that will be satisfactory to depositors and that the stockholders of the old bank will be satisfied to be relieved of the double liability act.

TO GIVE OFFICIAL ELECTION RETURNS

Messrs. Bloomfield and Ratliff Managers of Auditorium Have Arranged For Special Wire.

Messrs. Bloomfield and Ratliff, proprietors of the Winchester Auditorium have made special arrangements to have a direct wire run to the stage and will announce the correct returns from the stage Tuesday night, November 8. The returns will be received after the regular show. An admission of ten cents will be charged.

Grafters have no politics.

CONSIDERS BYRD SURE WINNER

Judge Evans, Secretary at Democratic Headquarters, Says Reports
Show Langley's Forces to Be Disorganized.

The Democratic headquarters in this city are certainly afire with enthusiasm for the coming election. Judge Evans, the secretary in charge, is receiving, daily and hourly, most encouraging reports from all over the district and according to him it looks as though it would be a landslide on Tuesday to Mr. Byrd.

Judge Evans says that the reports coming into headquarters here show that the Langley forces throughout the Sandy Valley are disorganized, discouraged and on the run, while Democratic organizations are enthusiastic and confident of victory. Judge Evans says that the Democrats have hammered Langley and his record in the Republican stronghold to such an extent that Langley is actually ashamed to go there.

Johnson county, in Langley's last race, gave him a majority of over 1400; this year that Langley will not carry Johnson by exceeding 900. In Pike county, which Langley carried by a majority of nearly 1500, bets are going begging that he will not carry it to exceed 500. The Democratic organization in that county is one of the most superb in the district.

Magoffin, another strong Republican county, which gave Langley a majority of 785 at the last election, will be reduced to not exceeding 200. Martin county, which gave Langley a majority of 800, will this year not exceed 400. There is not a Democratic county in the district but what will give an increased majority. Breathitt county is afire with Byrd enthusiasm and will return a Democratic majority of from 250 to 400 though in 1908 it gave Langley a majority of 190.

Judge Evans says that independent Republican clubs are being organized throughout the district and they are unanimously endorsing Mr. Byrd for Congress. He says that he has never seen such a tidal wave of confidence and enthusiasm as has set in, in the last week or ten days.

The enthusiasm at the Democratic headquarters is not the brand of "whistle-to-keep-up-your-courage," but it seems to be the genuine article born of conviction.

TONY TO ATTEND WINTER SCHOOL

Lexington Herald Contains Article
Complimentary to Blue Grass League
Star Who Played Here.

The following appeared in the Lexington Herald Thursday morning:

"Tony and Angemeier, two of the stars of the Blue Grass League in 1910, will go to the California home of Frank Chance this winter to attend a winter school to be taught by the 'Peerless Leader,' according to the Chicago Record-Herald.

"The Cubs' manager is of the opinion that training trips in the spring are of little benefit in determining the value of candidates, as the majority of them fail to make good. In order to lessen the training trip expense Chance will not take so many players South next spring.

"December 1 he will take 13 recruits to California and put them through some good winter work. Only the most likely candidates will be taken and the ones who look good to the big manager will go south with the regulars, along with new men picked up meanwhile. The two Blue Grass players have merely been chosen in the 'best thirteen' and may be relegated in a hurry.

But Chance and Huff, his chief scout, make few mistakes in picking men. They are called the luckiest guessers in baseball and the fact that Angemeier and Toney are considered worth the trying out, after a look-over, augurs well for them."

It is to be hoped that Toney has made good with Manager Chance, but so far Toney has not signed with the Chicago team. A contract was sent recently to him by President Murphy, but it did not suit Toney and he returned it. The matter of salary was the chief cause of it being returned, but it is understood that Toney's demands were not so great but that the salary could be easily adjusted and will be no doubt in time for him to report in California on schedule time.

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AUDITORIUM.

Seldom has theatre-going people had the opportunity to see two such acts as was on the bill at the Auditorium theatre Wednesday night. The opening act, Dixie Harris and Francis in a comedy singing and talking sketch on "a diamond in the rough," is one of the neatest and most refined teams that has appeared at the Auditorium this season. Bredan and Payne the boys with the Xylophone, are certainly a fine pair of fellows, who have more music in them than any team seen here in a long time and Wednesday night were almost exhausted answering encores. These two teams and two new pictures will make up the bill for Thursday night. The house has been arranged so that it can be thoroughly heated. The new piano has been installed and the splendid music Mr. Heefner is making is seldom heard in a theatre.

REGISTRATION IS INCREASED

Number of Supplemental Names is
120, Bringing Total Up to 1,624.

The total of the supplemental registration held Monday, Tuesday and Wednesday was 120. This number added to the regular registration makes a total of 1,624 to register. At the supplemental registration the Democrats led by a good majority. The Independents were few, only two registering.

In all 76 Democrats registered; 42 Republicans and 2 Independents.

WILL HENDERSON IS IMPROVING

Operation Which Was Considered
Necessary Will Probably Not Be
Performed.

Reports from Lexington Thursday morning state that Will Henderson who was seriously wounded by being cut in a fight with James Townsend on Tuesday, is improving and unless complications arise, will recover. The operation which was considered necessary after he was wounded has not been performed and it is now probable that it will not be done.

HORSE KILLED IN STRANGE MANNER

Animal Being Led By Jack Garner
Rears Up, Falls and Breaks Its
Neck.

A valuable three-year-old mare belonging to Mr. T. C. Lyon was killed in a peculiar manner Thursday morning.

The animal was being led by Jack Garner and without warning or apparent provocation, reared up, lost its balance, and broke its neck by the fall.

FOOTBALL GAME HERE SATURDAY

Kentucky Wesleyan Will Try For
Honors With Georgetown University
at Garner's Park.

Kentucky Wesleyan will try for honors with Georgetown University Saturday afternoon at Garner's Park. Wesleyan has been working hard this week preparing for the fray and is in good shape. The teams are evenly matched and a good game is assured.

TOO LATE TO CLASSIFY

HORSES FOR SALE—Remember there are only 19 head of Montana horses left at Hamilton's stock pens and must be sold this week. Get busy boys before you are too late. 11-3-2t.